

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 04-1880

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United States of America,

Appellee,

v.

Raul Castaneda Gutierrez,

Appellant.

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Appeal from the United States  
District Court for the  
District of Minnesota.

[UNPUBLISHED]

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Submitted: December 22, 2005

Filed: January 4, 2006

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Before WOLLMAN, McMILLIAN, and MURPHY, Circuit Judges.

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PER CURIAM.

Raul Castaneda Gutierrez appeals the district court's<sup>1</sup> denial of his motion for return of property. We find that Castaneda has abandoned the only issue in this appeal by failing to raise it in his appellate brief. See Fed. R. App. P. 28(a) (requirements of appellate brief); United States v. Joiner, 418 F.3d 863, 869 (8th Cir. 2005) (party's failure to raise or argue issue in brief is deemed abandonment of issue).

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<sup>1</sup>The Honorable Susan Richard Nelson, United States Magistrate Judge for the District of Minnesota.

Accordingly, we affirm, and we deny the motions for appellate counsel, and for discovery and expert investigators.

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